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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-third session

PROVISIONAL AGENDA

Note by the Secretary-General

Duration and venue of the session

1. The forty-third session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities will be held at the United Nations Office at Geneva from 5 to 30 August 1991. The first meeting will be convened at 10.30 a.m. on Monday, 5 August 1991.

Provisional agenda

2. The provisional agenda, prepared in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, is reproduced below.

Pre-sessional working groups

3. In accordance with previous decisions, the forty-third session of the Sub-Commission will be preceded by three working groups as follows:

(a) Working Group on Communications, established pursuant to paragraph 1 of Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970. This Working Group of five members of the Sub-Commission will meet for two weeks prior to the forty-third session, that is from 22 July to 2 August 1991;

(b) Working Group on Contemporary Forms of Slavery, established pursuant to Economic and Social Council decisions 16 (LVI) and 17 (LVI)

of 17 May 1974. This Working Group of five members of the Sub-Commission will meet for one week prior to the forty-third session, that is from 29 July to 2 August 1991;

(c) Working Group on Indigenous Populations, established pursuant to Economic and Social Council resolution 1982/34. At its forty-second session, the Sub-Commission, by its resolution 1990/26 of 31 August 1990 endorsed by Commission on Human Rights resolution 1991/59 of 6 March 1991, recommended to the Economic and Social Council that the Working Group on Indigenous Populations should be authorized to meet for 10 working days prior to the forty-third session, for the purpose of intensifying its efforts to complete a draft declaration on indigenous rights in consultation with interested Governments and organizations of indigenous peoples, that is from 22 July to 2 August 1991.

In-session working groups

4. Since its thirty-fourth session in 1981, the Sub-Commission has established a sessional working group to assist it in relation to its annual review of developments concerning the human rights of persons subjected to any form of detention or imprisonment. The Sub-Commission may wish to consider establishing such a working group at its forty-third session.

5. At its forty-first session, the Sub-Commission by its decision 1989/104 decided that, at the beginning of its forty-second session, it would establish a sessional working group of five of its members, appointed by the various regional groups and open to the participation of other members of the Sub-Commission, to prepare an overview and an analysis of the suggestions and proposals which have been made in order to enable the Sub-Commission to better discharge its responsibilities in dealing with violations of human rights as discussed under item 6 of its agenda, taking also into account the functions and duties of the Commission on Human Rights in the matter. At its forty-sixth session the Commission on Human Rights, by its resolution 1990/64 of 7 March 1990, invited the Sub-Commission to request this Working Group to include in its deliberations an examination of ways and means to avoid any proliferation of studies as well as of draft resolutions or decisions on issues already being dealt with by the Commission. By its decision 1990/125 of 31 August 1990, the Sub-Commission decided that the Working Group should continue its work at the forty-third session.

6. By its decision 1990/123 of 31 August 1990, the Sub-Commission decided to establish, at its forty-third session, a sessional open-ended working group with the view to continuing to work on the preparation of a revised version of the draft declaration on freedom and non-discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country (E/CN.4/Sub.2/1988/35 and Add.11, annex I). The Sub-Commission also decided to ask Mr. W. Sadi to prepare, without financial implications, the revised version of the above-mentioned draft declaration, on the basis of the discussions in the open-ended working group at its forty-second session and the comments and proposals contained in document E/CN.4/Sub.2/1990/47, to be submitted in 1991 for analysis and discussion by the working group with a view, if possible, to its submission to the Sub-Commission at its forty-third session. The Sub-Commission further decided, if appropriate, to invite the Special Rapporteur, Mr. Mubanga-Chipoya to be present in Geneva during the meetings of the working group.

7. Any decisions or resolutions affecting the provisional agenda of the forty-third session of the Sub-Commission which may be taken by the Economic and Social Council at its first regular session of 1991 will be brought to the attention of the Sub-Commission in an addendum to the present document.

8. The annotations to the items listed in the provisional agenda will be issued as an addendum to the present document.

Provisional agenda

1. Election of officers.

2. Adoption of the agenda.

3. Review of the work of the Sub-Commission.

4. Review of further developments in fields with which the Sub-Commission has been concerned.

5. Elimination of racial discrimination:

   (a) Measures to combat racism and racial discrimination and the role of the Sub-Commission;

   (b) Adverse consequences for the enjoyment of human rights of political military, economic and other forms of assistance given to the racist and colonialist régime of South Africa.

6. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII).

7. The new international economic order and the promotion of human rights.

   (a) The role and equal participation of women in development.

8. The realization of economic, social and cultural rights.

9. Communications concerning human rights: report of the Working Group established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XLVIII).

10. The administration of justice and the human rights of detainees:

   (a) Question of human rights of persons subjected to any form of detention and imprisonment;

   (b) Question of human rights and states of emergency;

   (c) Individualization of prosecution and penalties, and repercussions of violations of human rights on families;

   (d) The right to a fair trial.

11. Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers.

12. Human Rights and disability.

13. Elimination of all forms of intolerance and of discrimination based on religion or belief.

14. International peace and security as an essential condition for the enjoyment of human rights, above all the right to life.

15. Discrimination against indigenous peoples.

16. Contemporary forms of slavery.

17. Promotion, protection and restoration of human rights at national, regional and international levels:

    (a) Prevention of discrimination and protection of children: human rights and youth;

    (b) Prevention of discrimination and protection of women.

18. Protection of minorities.

19. The right of everyone to leave any country, including his own, and to return to his country.

20. Consideration of the future work of the Sub-Commission and of the draft provisional agenda for the forty-fourth session of the Sub-Commission.

21. Adoption of the report of the forty-third session.